

REMARKS

Claims 1,2,4-5,8-9,11,17-18, 30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sieggen et al (U.S. Patent No. 6431177).

Claims 3,13-16 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sieggen et al in view of Lustbader (U.S. Patent No. 3405719).

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sieggen in view of Nicotra (U.S. Patent No. 5862809).

Claims 12-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sieggen in view of Kojima (U.S. Patent No. 4996995).

Claims 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sieggen in view of Hernlein (U.S. Patent No. 5605226).

The basic reference Sieggen utilizes a completely different structure to extinguish a cigarette. As clearly stated and shown in Sieggen, the device includes partitions and dead air spaces at the interface between the burning cigarette tip and the end of the device. The structure and purpose of the Sieggen device is clearly to insulate the exterior surface from the heat of the cigarette until the cigarette is extinguished. The heat of the cigarette is held back from the rest of the working end, and is limited to the small region at the interface between the cigarette tip and the insulating structure. In no way could the working end of the Sieggen device be interpreted as being solid, or being capable of conducting and storing the heat from the cigarette. It certainly is not intended to do so, and is purposely incapable of doing so. It is essentially the opposite of solid, in that it is hollow.

In complete contrast, the presently claimed structure utilizes a different principal to maintain a reasonably low temperature at the exterior surface of the device. The heat of the cigarette is not insulated from the outside surface. Instead it is purposely conducted, absorbed, and stored in the closure body. As stated in the specification, the solid closure body makes the entire mass of the closure body available for absorbing and storing the heat of the cigarette. In a preferred embodiment, the material is selected to be a highly heat-conductive material such as copper, the antithesis of insulation, to ensure that the heat

spreads through the entire closure body. There is no teaching or structure in the presently claimed invention relating to insulating the heat from the structure of the working end of the device.

The claims have been amended to more clearly set out the inventive structure, consistent with the specification.

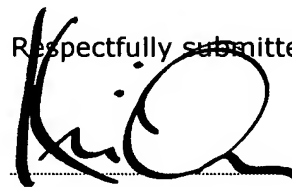
CONCLUSION

Applicant asserts that all of the objections have been obviated, and now therefore respectfully requests withdrawal of those objections and an allowance of this application.

PETITION FOR AN EXTENSION OF THE TERM

Applicant petitions the Commissioner of the United States Patent and Trademark Office to extend the time for reply to the Office Action dated 26 November 2006 for one- month from 26 January 2007 to 26 February 2007. Submitted herewith is a check for \$60 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to our deposit account number 04-2219, referencing our docket number 13745.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited as First Class Mail with the United States Postal Service in an envelope addressed to: Commissioner of Patents PO Box 1450, Alexandria, VA 22313-1450, on 26 February 2007.

A handwritten signature in black ink, appearing to read "Keith Orum", written over a horizontal dotted line.

Keith Orum

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